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7 **BEFORE THE**
8 **MEDICAL BOARD OF CALIFORNIA**
9 **DEPARTMENT OF CONSUMER AFFAIRS**
STATE OF CALIFORNIA

10 In the Matter of the Accusation Against:

11 **DANNY MUNDALL ANDERSON, M.D.**
12 **690 Guzzi Lane Ste. C**
Sonora CA 95370

13 **Physician's and Surgeon's Certificate No.**
14 **G33960,**

15 Respondent.

Case No. 800-2017-030382

OAH Case No. 2019041222

STIPULATION AND [PROPOSED]
ORDER FOR CONTINUANCE AND
INTERIM SUSPENSION

[Government Code Sections 11524, 11529]

16
17 IT IS HEREBY STIPULATED AND AGREED by and between the parties to the above-
18 entitled proceedings as follows:

19 1. On or about July 18, 2020, Respondent Danny Mundall Anderson, M.D., was
20 released from the custody of the California Department of Corrections and Rehabilitation, and
21 placed on parole. By virtue of his release from custody, the Automatic Suspension Order related
22 to Accusation number 800-2017-030382, issued pursuant to Section 2236.1 of the Business and
23 Professions Code, was dissolved by operation of law on or about July 18, 2020.

24 2. Accusation number 800-2017-030382 was filed on April 8, 2019, and is currently
25 pending against Respondent's Physician's and Surgeon's Certificate No. G33960. A hearing was
26 originally set to commence on March 2, 2020, but was continued based on a joint request of both
27 parties, based on Respondent's incarceration, to a date when it was anticipated that Respondent
28

1 would be out of custody. The Accusation is currently set for a contested hearing to commence on
2 October 26, 2020.

3 3. Respondent desires additional time to consider a resolution to the pending
4 Accusation. Complainant does not object to a continuance of less than six months for this
5 purpose, provided that Respondent's Physician's and Surgeon's Certificate No. G33960 is
6 suspended in the interim.

7 4. Respondent is fully aware of his legal rights with respect to the issuance of an Interim
8 Suspension Order, as set forth in Government Code section 11529, subdivision (d), including a
9 right to a hearing on the issue of an interim suspension, his right to be represented by counsel at
10 such a hearing, his right to have a record made of the proceedings, and his right to present written
11 evidence at the hearing. Respondent is further aware of his right to judicial review of an Interim
12 Suspension Order, pursuant to Government Code section 11529, subdivision (h), and Code of
13 Civil Procedure section 1094.5. Respondent is further aware of his rights, upon issuance of an
14 Interim Suspension Order, to a hearing on the related Accusation within 30 days of a request for
15 hearing, and to a final decision within 15 days of the date that a proposed decision is received
16 from an administrative law judge following a hearing on the related Accusation. Respondent,
17 having benefit of counsel, voluntarily, knowingly, and intelligently waives and gives up each and
18 every right set forth above.

19 5. Respondent stipulates and agrees that the Medical Quality Hearing Panel of the
20 Office of Administrative Hearings has jurisdiction and, without further proceedings, may issue an
21 order suspending his Physician's and Surgeon's Certificate No. G33960 pending a final
22 disposition of Accusation 800-2017-030382. Respondent understands that the interim suspension
23 shall remain in force and effect until such time as the Medical Board of California shall issue and
24 adopt a final decision on Accusation number 800-2017-030382.

25 6. The parties understand and agree that Portable Document Format (PDF) and facsimile
26 copies of this Stipulation and Order for Interim Suspension, including PDF and facsimile
27 signatures thereto, shall have the same force and effect as the originals.

7. In consideration of the foregoing admissions and stipulations, the parties agree that the Administrative Law Judge in this matter issue and enter the following Order:

[PROPOSED] ORDER

IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G33960 is suspended pending a final Decision and Order on Accusation 800-2017-030382. Respondent shall not:

1. Practice or attempt to practice any aspect of medicine in the State of California during the period of suspension;

2. Advertise, by any means, or hold himself out as practicing or available to practice medicine in any capacity during the period of suspension; and shall not;

3. Be present, during the period of suspension, in any location or office which is maintained for the practice of medicine, or at which medicine is practiced for any purpose, except as a patient or as a visitor of family or friends.

This Order of Interim Suspension shall be dissolved automatically in the event that Respondent's conviction in Tuolumne Superior Court case CRF53012 is reversed on appeal. Such dissolution of this order shall be nunc pro tunc to the date of issuance of this Order.

IT IS FURTHER ORDERED that, good cause appearing, the hearing currently set to commence October 26, 2020, shall be continued to a date within six months of the date of this Order.

ACCEPTANCE

I have carefully read the above Stipulation and Order for Continuance and Interim Suspension and have fully discussed it with my attorney, Brad Wishek, Esq. I understand the stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. G33960. I enter into this Stipulation and Order for Continuance and Interim Suspension voluntarily, knowingly, and intelligently, and agree to be bound by the Interim Suspension Order.

DATED: _____

DANNY MUNDALL ANDERSON, M.D.
Respondent

1 7. In consideration of the foregoing admissions and stipulations, the parties agree that
2 the Administrative Law Judge in this matter issue and enter the following Order:

3 **PROPOSED ORDER**

4 IT IS HEREBY ORDERED that Physician's and Surgeon's Certificate No. G33960 is
5 suspended pending a final Decision and Order on Accusation 800-2017-030382. Respondent
6 shall not:

7 1. Practice or attempt to practice any aspect of medicine in the State of California
8 during the period of suspension;

9 2. Advertise, by any means, or hold himself out as practicing or available to practice
10 medicine in any capacity during the period of suspension; and shall not;

11 3. Be present, during the period of suspension, in any location or office which is
12 maintained for the practice of medicine, or at which medicine is practiced for any purpose, except
13 as a patient or as a visitor of family or friends.

14 This Order of Interim Suspension shall be dissolved automatically in the event that
15 Respondent's conviction in Tuolumne Superior Court case CRF53012 is reversed on appeal.
16 Such dissolution of this order shall be retroactive to the date of issuance of this Order.

17 IT IS FURTHER ORDERED that, good cause appearing, the hearing currently set to
18 commence October 26, 2020, shall be continued to a date within six months of the date of this
19 Order.

20 **ACCEPTANCE**

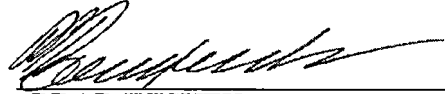
21 I have carefully read the above Stipulation and Order for Continuance and Interim
22 Suspension and have fully discussed it with my attorney, Brad Wishek, Esq. I understand the
23 stipulation and the effect it will have on my Physician's and Surgeon's Certificate No. G33960. I
24 enter into this Stipulation and Order for Continuance and Interim Suspension voluntarily,
25 knowingly, and intelligently, and agree to be bound by the Interim Suspension Order.

26 DATED: 10/16/2020

27 Danny M. Anderson, M.D.
28 DANNY MUNDALL ANDERSON, M.D.
Respondent

1 I have read and fully discussed with Respondent Danny Mundall Anderson, M.D. the terms
2 and conditions and other matters contained in this Stipulation and Order for Continuance and
3 Interim Suspension. I approve its form and content.

4 DATED: 10/16/20



BRAD WISHEK
Attorney for Respondent

7 DATED: 10/19/20

It is so stipulated,

XAVIER BECERRA
Attorney General of California



STEVE DIEHL
Supervising Deputy Attorney General
Attorneys for Complainant

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**BEFORE THE
MEDICAL BOARD OF CALIFORNIA
DEPARTMENT OF CONSUMER AFFAIRS
STATE OF CALIFORNIA**

In the Matter of the Accusation against:

DANNY MUNDALL ANDERSON, Respondent

OAH No. 2019041222

Case No. 800-2017-030382

ORDER GRANTING CONTINUANCE AND INTERIM SUSPENSION

This matter is currently set for hearing on October 26, 27 and 28, 2020.

Complainant is represented by Steve Diehl, Deputy Attorney General. Respondent Danny M. Anderson, M.D., is represented by Michael Rothschild, Attorney at Law.

On October 19, 2020, the parties filed with the Office of Administrative Hearings (OAH) a Stipulation and Order for Continuance and Interim Suspension (Stipulation). Respondent was released from custody on July 18, 2020. He needs more time to consider potential settlement of the case before hearing. A continuance may be granted "for good cause shown." (Gov. Code, § 11524.) There is good cause or a continuance.

Respondent's license to practice medicine was suspended upon conviction by operation of law. (Bus. & Prof. Code, § 2236.1, subd. (a).) The suspension dissolved upon release from custody. The parties have stipulated to issuance of an Interim

Suspension Order (ISO) pending resolution of this Accusation by a final decision of the Medical Board of California.

ORDER

Good cause appearing, the Stipulation for continuance and interim suspension of respondent's Physician's and Surgeon's Certificate No. G33960, is GRANTED. The Stipulation is incorporated by reference and made part of this Order. (See Attached.)

The parties shall confer regarding their dates of availability for a hearing to take place **in or before April 2021**. Complainant shall submit the parties' available dates to the Office of Administrative Hearings (OAH) via the OAH Secure e-File at www.applications.dgs.ca.gov/oah/oahsftweb by **October 27, 2020, at 5:00 p.m.** The hearing will be calendared based upon the parties' availability and OAH's calendar. OAH will thereafter issue a Notice of Assigned Hearing Date and complainant shall serve a Notice of Continued Hearing.

DATE: October 20, 2020

Dian M. Vorters
Dian M. Vorters (Oct 20, 2020 13:56 PDT)

DIAN M. VORTERS

Presiding Administrative Law Judge

Office of Administrative Hearings